

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RUTH BATES, :  
Plaintiff, : 3:22-CV-0668  
v. : (JUDGE MARIANI)  
WAL-MART STORES EAST, d/b/a : (Magistrate Judge Mehalchick)  
WAL-MART :  
Defendant. :

ORDER

AND NOW, THIS 23rd DAY OF FEBRUARY, 2023, upon review of Magistrate Judge Karoline Mehalchick's Report and Recommendation ("R&R") (Doc. 6) for clear error or manifest injustice, IT IS HEREBY ORDERED THAT:

1. The R&R (Doc. 6) is **ADOPTED** for the reasons set forth therein.
2. Defendant's Motion to Dismiss Plaintiff's Complaint (Doc. 3) is **GRANTED**. Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE**.
3. Plaintiff Bates shall file an Amended Complaint within **21 days** of the date of this Order. Failure to file an Amended Complaint may result in the dismissal of the above-captioned action.
4. The case is **REMANDED** to Magistrate Judge Mehalchick for further proceedings consistent with this Order.



Robert D. Mariani  
United States District Judge